

CLERK US DISTRICT COURT
NORTHERN DIST. OF TX
FILED

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
AMARILLO DIVISION

2016 MAR 23 AM 11:28

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JAVIER YEBRA,

Petitioner,

v.

WILLIAM STEPHENS, Director,
Texas Department of Criminal Justice,
Correctional Institutions Division,

Respondent.

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2:12-CV-173

ORDER OVERRULING OBJECTIONS,
ADOPTING REPORT AND RECOMMENDATION
and DENYING PETITION FOR A WRIT OF HABEAS CORPUS

Petitioner has filed with this Court a petition for a federal writ of habeas corpus. On February 23, 2016, the United States Magistrate Judge issued a Report and Recommendation in this cause, recommending therein that the instant habeas application be denied. On March 14, 2016, petitioner filed objections to the Magistrate Judge's Report and Recommendation.

None of the objections have any merit and all are overruled. The majority of the objections merely reurge the same arguments initially presented by YEBRA. These arguments are adequately addressed in the Report and Recommendation. The objection at pages 1-2, that the Court should consider petitioner's recent submission of an "expert" affidavit, was specifically addressed by the Magistrate Judge in the March 4, 2016 Order Denying Petitioner's Motion Requesting Leave of Court to File a Supplemental Pleading to his Habeas Petition. The objection is without merit.

The undersigned United States District Judge has made an independent examination of the record in this case and has considered the objections made by petitioner to the Report and

Recommendation. The objections filed by petitioner are hereby OVERRULED and the Magistrate Judge's Report and Recommendation is ADOPTED. Accordingly, the petition for a writ of habeas corpus is DENIED.

IT IS SO ORDERED.

ENTERED this 23rd day of March 2016.


MARY LOU ROBINSON
UNITED STATES DISTRICT JUDGE